

*CH*  
and further wherein the elastomeric seal is attached and fitted by force into a recess provided in an internal surface of the end cap.

*5 12.* (Thrice Amended) In a needle-free single use injection device of a pharmaceutical product, the device having a cap relatively movable relative to a device body for triggering a percussion member contained in the body, a cartridge mounted to [an] a delivery end of the device opposite the cap, the cartridge containing the product and driven by the percussion member, and the cartridge comprising:

*CS*  
a receptacle of preselected material and containing a single use quantity of the pharmaceutical product;

a single orifice formed in the receptacle for providing an exit for a jet of injected pharmaceutical product;

an envelope made of a preselected material and molded over the receptacle;

an end cap removably covering [an] a delivery end of the cartridge that includes the single orifice; [and]

an elastomeric seal located in a central portion of the end cap for sealing the orifice; and

a plurality of gaps, formed in the thickness of the envelope molded over the cartridge, in order to produce slots for improving the visibility of the receptacle.

#### R E M A R K S

Claims 8-12 remain in this application. Each of the claims is believed to be patentable for the reasons set forth hereinafter.

The Office Action, and the prior art applied by the Examiner, have been carefully considered.

The specification has been amended to differentiate cap 3 from end cap 55 so that the informalities pointed out by the Examiner on page 2 of the Office Action have been corrected.

On page 3 of the Office Action, the specification was objected to for failing to provide an adequate disclosure of the safety device. In order to expedite allowance of this application, the specification has been amended to more clearly define the arming/disarming positions of safety device 47. As described on page 5, line 36 - page 6, line 23, when the safety device 47 (Fig. 9) assumes a vertical position, denoted by solid lines, the vertical position represents an unlocked state of the cap (page 5, lines 11-14). A locked condition for the cap occurs when the safety device 47 is pivoted to the horizontal position shown in dotted lines. This enables the cap to be rotated, thereby arming the striker 12 and rod 7 (see page 5, lines 1-10, and page 5, line 36 - page 6, line 10). As further explained on page 6, lines 11-23, in the disarm or trigger position, a slight push on striker 12 will cause an impulse translation of the rod. These conditions correspond to the armed state of Fig. 1 and the disarm/trigger condition of Fig. 2. In other words, to achieve injection, there are two motions that are necessary: first, the cap 3 must be rotated to arm the device and then the striker 12 must be pushed to cause translational motion of the rod 17. If the Examiner feels that an additional amendment to the description would be helpful, he is encouraged to contact the undersigned.

With respect to the claims, claims 2-7, and 13 have been cancelled, claims 8-12 have been amended. It is believed that the amended claims are free from indefinite language so that further rejection of the claims on the basis of 35 U.S.C. § 112 is not anticipated.

Applicants note the continued indication of allowability of claims 8-11. These claims have been amended so that they avoid the vague language pointed out by the Examiner. Therefore, these claims are in condition for allowance.

Claim 12 has been amended so that there is the addition of an elastomeric seal. Therefore, claim 12 now includes all of the elements that the Examiner finds allowable in claims 8-11, as expressed in paragraphs 15-18 of the Office Action. Accordingly, claim 12 should now be allowed.

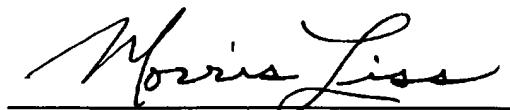
Paragraphs 13 and 14 (page 7) of the Office Action reject a number of claims by combining GB '523 with a number of secondary references that disclose the use of a glass receptacle and gaps in a cartridge for improving visibility of its contents. Applicants do not contend that either of these latter features are patentable *per se*. However, their inclusion in an otherwise patentable combination (e.g., amended claim 12) requires allowance.

For the reasons set forth above, all of the claims remaining in the application are believed to be allowable over the art of record. Therefore, reconsideration of the application, and favorable Action thereon, are courteously solicited.

**DEPOSIT ACCOUNT AUTHORIZATION**

It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary, then such extensions of time are hereby petitioned under 37 CFR § 1.136(a), and any fees required for consideration of this paper, including fees for net addition of claims, are hereby authorized to be charged to our Deposit Account No. 22-0185.

Respectfully submitted,



Morris Liss, Reg. No. 24,510  
Pollock, VandeSande & Priddy  
1990 M Street, N.W.  
Washington, D.C. 20036-3425  
Telephone: 202-331-7111

Date: November 15, 1999